

Mississippi Secretary of State
700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi Development Authority		CONTACT PERSON Royce M. Cole	TELEPHONE NUMBER 601-359-3095	
ADDRESS Post Office Box 849		CITY Jackson	STATE MS	ZIP 39205
EMAIL Rcole@Mississippi.org	SUBMIT DATE 1/5/2012	Name or number of rule(s): Title 6 Economic Development: Part VI Seismic Exploration on State-Owned Marine Waters, Chapters 1-12; Part VII Rules and Regulations Governing Leasing for Production or Extraction of Oil, Gas and Other Minerals from State-Owned Marine Waters – Chapters 1-7		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: These rules govern the mineral leasing program, which has moved from the Department of Environmental Quality to the Mississippi Development Authority by the Mississippi Legislature.

Specific legal authority authorizing the promulgation of rule: Miss. Code Ann. § 29-7-1, et seq. (Rev. 2010); Miss. Code Ann. §57-1-1, et seq. (Rev. 2008); Miss. Code Ann. §57-75-1, et seq. (Rev. 2008); Miss. Code Ann. §53-5-1, et seq. (Rev. 2003)

List all rules repealed, amended, or suspended by the proposed rule: There are none

ORAL PROCEEDING:

☒ An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____ See attached document

☐ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

☐ Economic impact statement not required for this rule. ☐ Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	Action proposed: <input checked="" type="checkbox"/> New rule(s) _____ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: <input checked="" type="checkbox"/> 30 days after filing _____ Other (specify): _____	Date Proposed Rule Filed: _____ Action taken: _____ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: _____ 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: Royce M. Cole

Signature of person authorized to file rules: Royce M. Cole

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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

The Dates, times and places for the oral proceedings are as follows:

Date: January 26, 2012	Time: 10:00 am to 2:00 pm	Place: Mississippi Development Authority Woolfolk Building First Floor Conference Room East 501 North West Street, Jackson, MS 39201
Date: January 27, 2012	Time: 12:00 pm to 7:00 pm	Place: Mississippi Gulf Coast Community College The Administration Building Lecture Hall 2300 Highway 90 Gautier, MS 39553-5201

Mississippi Secretary of State

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ADDRESS Post Office Box 849		CITY Jackson,		STATE MS	ZIP 39205
EMAIL Rcole@mississippi.org	SUBMIT DATE 12/19/11	Name or number of rule(s): Title 6 Economic Development : Part VI Seismic Exploration on State-Owned Marine Waters, Chapters 1-12; Part VII Rules and Regulations Governing Leasing For Production or Extraction of Oil, Gas and Other Minerals from State-Owned Marine Waters – Chapters 1-7			

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: These rules govern the mineral leasing program, which was moved from the Department of Environmental Quality to the Mississippi Development Authority by the Mississippi Legislature. Presently, an oral proceeding is not scheduled for this rule; however, one will be scheduled in the near future and will be noticed in the MS Admin. Bulletin.

Specific legal authority authorizing the promulgation of rule: Miss. Code Ann. 29-7-1 (Rev. 2010), et. seq.; Miss. Code Ann. 57-1-1 (Rev. 2008), et. seq.; Miss. Code Ann. 57-75-1 (Rev. 2008), et. seq.; Miss. Code Ann. 53-5-1 (Rev. 2003), et. seq.

List all rules repealed, amended, or suspended by the proposed rule: There are none.

ORAL PROCEEDING:

☐ An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____

☒ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

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_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	Action proposed: <input checked="" type="checkbox"/> New rule(s) _____ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: <input checked="" type="checkbox"/> 30 days after filing _____ Other (specify): _____	Date Proposed Rule Filed: _____ Action taken: _____ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: _____ 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: Royce M. Cole, Special Assistant Attorney General

Signature of person authorized to file rules: *Royce M. Cole*

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DELBERT HOSEMAN
Secretary of State

CONCISE SUMMARY OF ECONOMIC IMPACT STATEMENT

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. This is a Concise Summary of the Economic Impact Statement which must be filed with the Secretary of State's Office.

AGENCY NAME Mississippi Development Authority	CONTACT PERSON Royce M. Cole		TELEPHONE NUMBER 601-359-3095
ADDRESS Post Office Box 849	CITY Jackson	STATE MS	ZIP 39205
EMAIL Rcole@mississippi.org	DESCRIPTIVE TITLE OF PROPOSED RULE Title 6 Economic Development : Part VI Seismic Exploration on State-Owned Marine Waters, Chapters 1-12; Part VII Rules and Regulations Governing Leasing For Production or Extraction of Oil, Gas and Other Minerals from State-Owned Marine Waters - Chapters 1-7		
Specific Legal Authority Authorizing the promulgation of Rule: Miss. Code Ann. 29-7-1 (Rev. 2010), et. seq.; Miss. Code Ann. 57-1-1 (Rev. 2008), et. seq.; Miss. Code Ann. 57-75-1 (Rev. 2008), et. seq.; Miss. Code Ann. 53-5-1 (Rev. 2003), et. seq.		Reference to Rules repealed, amended or suspended by the Proposed Rule: There are none.	

A. Estimated Costs and Benefits

1. Briefly summarize the benefits that may result from this regulation and who will benefit:
Leasing of mineral rights in offshore areas of state owned waters in the Gulf of Mexico will generate and estimated \$3.7 million in lease bonuses to the State of Mississippi if only 10 percent of the available 185,000 acres are leased. Interest in oil and natural gas in the Gulf of Mexico is robust and there is a high probability that more than 10 percent will be leased increasing the benefits to the state substantially.
2. Briefly describe the need for the proposed rule: The legislature moved the mineral leasing program from the Department of Environmental Quality to the Mississippi Development Authority (MDA). The Administrative Procedures Act requires MDA to establish its own rules and regulations for administering the program.
3. Estimated Cost of implementing proposed action:
 - a. To the agency
☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
 - b. To other state or local government entities
☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
4. Estimated Cost and/or economic benefit to all persons directly affected by the proposed rule:
 - c. Cost:
☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
 - d. Economic Benefit:

☐ Nothing ☐ Minimal ☐ Moderate ☒ Substantial ☐ Excessive

5. Estimated impact on small businesses:

☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

6. The cost of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

☐ substantially less than ☐ moderately less than ☒ minimally less than
☐ the same as ☐ minimally more than ☐ moderately more than
☐ substantially more than ☐ excessively more than

7. The benefit of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

☐ substantially less than ☐ moderately less than ☐ minimally less than
☐ the same as ☐ minimally more than ☐ moderately more than
☐ substantially more than ☒ excessively more than

B. Reasonable Alternative Methods

1. Other than adopting this rule, are there less costly or less intrusive methods for achieving the purpose of the proposed rule?

☐ yes ☒ no

2. If yes, please briefly describe available, reasonable alternative(s) and the reasons for rejecting those alternatives in favor of the proposed rule.

C. Data and Methodology

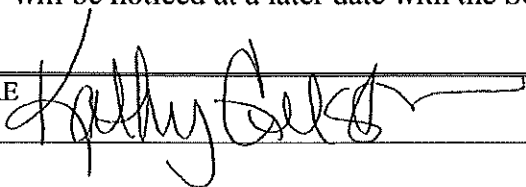
1. Please briefly describe the data and methodology you used in making the estimates required by this form. The benefit/cost analysis of leasing of mineral rights in the Mississippi Sound was conducted using standard economic theory and data provided by MDA, MESD, BEA and various private sector sources.

D. Public Notice

1. Where may someone obtain copies of the full text of the economic impact statement? Full copies of the economic impact statement may be found at the following address: mineralllease@mississippi.org.

2. Where, when, and how may someone present their views on the proposed rule and demand an oral proceeding on the proposed rule if one is not already provided? An oral proceeding will be noticed at a later date with the Secretary of State in its administrative bulletin.

SIGNATURE



TITLE

Chief Financial Officer

DATE

12/19/2011

PROPOSED EFFECTIVE DATE OF RULE

30 days from filing